

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

D.R. HORTON, INC.,

Plaintiff,

VS.

AMERICAN HOME ASSURANCE
COMPANY, et al.,

Defendants.

Case No. 2:13-cv-01013-GMN-NJK

ORDER DENYING DISCOVERY PLAN
(Docket No. 15)

This matter is before the court on the parties' Proposed Discovery Plan and Scheduling Order (#15) filed July 29, 2013, which the Court denies without prejudice. LR 26-1(e)(1) establishes 180 days, measured from the date the first defendant answers or otherwise appears, as a presumptively reasonable time to complete discovery. In this case, the first defendant answered on June 13, 2012. Docket No. 6. However, the parties request 180 days from August 1, 2013, the date they state "Discovery is set to begin."¹ Thus, the parties are requesting a longer discovery period than 180 days from when the first defendant answered. Accordingly, the Discovery Plan was required to state on its face "SPECIAL SCHEDULING REVIEW REQUESTED" and indicate why longer or different time periods should apply. LR 26-1(d).

• • •

• • •

¹The parties provide no explanation for why discovery will not begin until August 1, 2013. Pursuant to Fed.R.Civ.P. 26(a)(1)(C), a party must make the initial disclosures at or within 14 days after the parties' Rule 26(f) conference unless a different time is set by stipulation or court order. Stipulations are not effective until approved by the Court. LR 7-1. Here, the Court has not approved any such delay in discovery.

1 Although the Court is inclined to approve the deadlines set out in the parties' proposed
2 discovery plan, the parties must correct the errors discussed above and provide more adequate
3 reasoning for why a longer period for discovery is necessary. The parties are to resubmit a proposed
4 discovery plan and scheduling order no later than August 2, 2013.

5 IT IS SO ORDERED.

6 DATED this 30st day of July, 2013.

7
8 
9 _____
10 NANCY J. KOPPE
11 United States Magistrate Judge
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28